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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,041	11/15/2001	David Botstein	P2730P1C34	4967

35489 7590 05/31/2005

HELLER EHRMAN LLP  
275 MIDDLEFIELD ROAD  
MENLO PARK, CA 94025-3506

**RECEIVED**  
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HEWM LLP - P.A.

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 05/31/2005



Please find below and/or attached an Office communication concerning this application or proceeding.

HEWM LLP - SV Office

Description

Due/Rmr

Final/Deadline

Initials

RESPONSE TO OA - 1 MO.  
6/30/05  
11/30/05  
D2A



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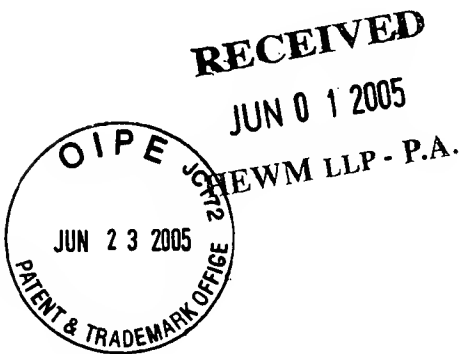
APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20050524

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## Commissioner for Patents

The reply filed on 10 March 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The Applicant discussed claim Rejections, such as 35 USC 112, 2nd paragraph rejections and a 35 USC 112, 1st paragraph rejection over Deposit Rules, that had been withdrawn in prior Office Actions. In addition, Applicants mistated the data concerning the results of the glucose/FFA uptake assay that used the PRO polypeptide. Because of the inaccuracies found in the recent Response, no nexus has been stated or suggested between the data in the instant Specification and data found in current research, and the examiner cannot determine what is to be discussed. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sandra Wegert whose telephone number is (571) 272-0895. The examiner can normally be reached Monday - Friday from 9:00 AM to 5:00 PM (Eastern Time). If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Brenda Brumback, can be reached at (571) 272-0961.

The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SLW  
24 May 2005

JANET ANDRES  
PRIMARY EXAMINER

28